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5 Attorney for Plaintiff Rodolfo F. Mendoza
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
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11 RODOLFO FIDEL MENDOZA,
12 individually, and on behalf of a class of
similarly situated individuals,

13 Plaintiff,
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15 v.

16 GENERAL MOTORS, LLC,
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Defendant.
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CASE NO. CV 10-2683 AHM (VBK)

Hon. A. Howard Matz

**STIPULATION RE: FILING OF
PLAINTIFF'S FIRST AMENDED
CLASS ACTION COMPLAINT
AND DEFENDANT'S RESPONSE**

1 Plaintiff Rodolfo Fidel Mendoza (“Plaintiff”) and General Motors, LLC
2 (“GM”), through their undersigned counsel, hereby stipulate and agree as follows:

3 WHEREAS, Plaintiff served a Class Action Complaint (“complaint”) in the
4 matter captioned *Mendoza et al. v. General Motors, LLC* (Case No. CV-10-2683
5 AHM (VBK)) on GM on or about May 1, 2010;

6 WHEREAS, by stipulation between the parties (Docket No. 6), GM’s
7 response to the complaint currently is due on or before June 21, 2010;

8 WHEREAS, GM currently plans to file a motion to dismiss or, in the
9 alternative, transfer this action to the United States District Court for the Southern
10 District of New York for referral to the Bankruptcy Court pursuant to 28 U.S.C. §
11 1412 on June 21, 2010;

12 WHEREAS, the parties have met and conferred prior to the filing of GM’s
13 motion as required by Local Rule 7-3;

14 WHEREAS, after meeting and conferring with GM’s counsel, counsel for
15 Plaintiff intends to file a First Amended Class Action Complaint in an attempt to
16 cure certain deficiencies in the complaint;

17 WHEREAS, GM anticipates that, following the filing of the First Amended
18 Class Action Complaint, it will file a motion to dismiss that complaint or, in the
19 alternative, transfer this action to the United State District Court for the Southern
20 District of New York pursuant to 28 U.S.C. § 1412 (“motion to dismiss or
21 transfer”);

22 WHEREAS, the parties have discussed and agreed upon a mutually agreeable
23 hearing date and briefing schedule for GM’s motion to dismiss or transfer;

24 NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE,
25 through their respective counsel of record, that the Court subject to the convenience
26 of its calendar may enter its order as follows:

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1. Plaintiff will file his First Amended Class Action Complaint by July 16, 2010;
2. GM will file its motion to dismiss or transfer by August 16, 2010;
3. Plaintiff will file his opposition to GM's motion by September 6, 2010;
4. GM will file its reply in support of its motion by September 20, 2010;
5. GM's motion shall be scheduled for hearing on September 27, 2010, at 10 a.m., Courtroom 14, in the Central District of California, Western Division.

DATED: June 17, 2010

GREGORY R. OXFORD
ISAACS CLOUSE CROSE & OXFORD LLP

By: /s/
Gregory R. Oxford
Attorneys for General Motors, LLC

DATED: June 17, 2010

ROBERT L. STARR
THE LAW OFFICE OF ROBERT L. STARR

By: /s/
Robert L. Starr
Attorneys for Plaintiff

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
3

4 MARTIN EHRLICH, individually and
5 on behalf of a class of similarly situated
6 individuals,

7 Plaintiff,

8 v.

9 BMW OF NORTH AMERICA, LLC,

10 Defendant.
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CASE NO. CV 10-2683 AHM (VBK)

Hon. A. Howard Matz

**[PROPOSED] ORDER RE: FILING
OF PLAINTIFF'S FIRST
AMENDED CLASS ACTION
COMPLAINT AND DEFENDANT'S
RESPONSE**

12 The Court has reviewed and considered the parties' June 17, 2010 Stipulation
13 re: Filing of Plaintiff's First Amended Class Action Complaint and Defendant's
14 Response ("Stipulation"). Based on the Stipulation and GOOD CAUSE
15 APPEARING, it is hereby ordered that:

- 16 1. Plaintiff will file his First Amended Class Action Complaint by July
17 16, 2010;
- 18 2. GM will file its motion to dismiss or transfer by August 16, 2010;
- 19 3. Plaintiff will file his opposition to GM's motion by September 6, 2010;
- 20 4. GM will file its reply in support of its motion by September 20, 2010;
- 21 5. GM's motion shall be scheduled for hearing on September 27, 2010, at
22 10 a.m., Courtroom 14, in the Central District of California, Western
23 Division.

24 It is so ordered.
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26 DATED: June __, 2010

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Hon. A. Howard Matz
United States District Court Judge
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